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FILED  
DISTRICT COURT OF GUAM  
DEC 14 2004  
MARY L. M. MORAN  
CLERK OF COURT

(12)

**Attorneys for Plaintiff**  
**DAVID J. LUBOFSKY**

**IN THE U.S. DISTRICT COURT**  
**OF GUAM**

**DAVID J. LUBOFSKY,**

**CIVIL CASE NO. 04-00031**

**Plaintiff,**

**DISCOVERY PLAN**

**vs.**

**GOVERNMENT OF GUAM;**  
**GOVERNMENT OF GUAM**  
**RETIREMENT FUND**

**Defendants.**

**DISCOVERY PLAN**

Pursuant to Rule 26 (f) of the Federal Rules of Civil Procedure and Local Rule 16.2, the parties agree to and hereby submit the following plan:

A. Depositions of fact witnesses may begin at once and be taken as needed, prior to the discovery cutoff date. Some of the parties may call expert witnesses in this case.

B. Unless additional discovery is ordered by the Court, the parties also may propound one set each of interrogatories (25 maximum) and requests for admissions (25 maximum). Requests for production may also be propounded. This discovery shall

**Discovery Plan**

**December 2004.**

be served in such a fashion as to be subject to answer or response on or before the discovery cutoff date.

C. The parties, except as otherwise noted, agree to provide all predisclosure and preliminary discovery mandated by Local Rules and FRCP Rule 26 by December 13, 2004. Compliance with mandatory disclosure as is set forth in Rule 26 (a) (1) is ongoing.

D. All parties will exchange names and reports (if any) of expert witnesses on or before March 25, 2005.

E. The specific subjects on which discovery may be needed are:

Facts supporting the nature of the claims and defenses.

F. Other than the provisos set forth above in Item B, the parties do not anticipate requiring any other changes or limitations on discovery as imposed under the Federal and Local Rules.

G. The Cutoff date for discovery is June 3, 2005.

**APPROVED AS TO FORM AND CONTENT:**

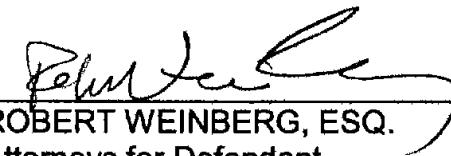
LAW OFFICES OF GORMAN & GAVRAS

Dated: December 6, 2004.

BY:   
A. ALEXANDER GORMAN, ESQ.  
Attorneys for Plaintiff  
DAVID J. LUBOFSKY

OFFICE OF THE ATTORNEY GENERAL  
OF GUAM

Dated: December 6, 2004.

BY:   
ROBERT WEINBERG, ESQ.  
Attorneys for Defendant  
GOVERNMENT OF GUAM

CARLSMITH BALL, LLP

Dated: December 6, 2004.

BY:   
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Attorneys for Defendant  
GOVERNMENT OF GUAM  
RETIREMENT FUND

